



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

CN# 30-05

MEMORANDUM

To: School Health & Nutrition Program Sponsors

From: Mary Szafranski, Deputy Associate Superintendent
Arizona Department of Education, Health & Nutrition Unit

Holly Mueller, Program Director
Arizona Department of Education, School Health & Nutrition Programs

Date: January 21, 2005

RE: Developing and Drafting Bid/ Proposal Specifications

The purpose of this memo is to provide further guidance and understanding regarding the issue of developing and drafting bid/proposal specifications related to the Child Nutrition Programs.

As a reminder, 7 CFR Part 3016 prohibits awarding contracts to any entity that develops or drafts specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other procurement documents. While schools have broad discretion in gathering information for use in connection with procurements, information from potential bidders must be appropriately modified to develop tailored specifications otherwise these bidders must be excluded from competing for such procurements. Please refer to memo CN# 18-05 dated October 15, 2004 for more information.

In addition, the school must also have in place protest procedures to handle and resolve disputes relating to their procurements and must in all instances disclose information regarding a protest to ADE. Please refer to the School District Procurement Code R7-2-1141, if applicable.

If you have any questions or concerns regarding this memo, please contact the Health and Nutrition Contracts Officer, Brian Walsh at (602) 542-6208 or bwalsh@ade.az.gov.